

H. B. No. 223 was reported favorably as amended by committee amendments Nos. 1 and 2 by viva voce vote with recommendation it be printed.

S. B. No. 513 was reported favorably by viva voce vote with the recommendation it be printed.

W. S. REEVES, Secretary.

Minutes of Committee on Civil Jurisprudence Held April 23, 1935.

Called Meeting.

Present: Small, Davis, Hill, Hornsby, Moore, Rawlings, Redditt, Shivers, Van Zandt, Westerfeld.

Absent—Excused: Blackert, Collie, Fellbaum, Hopkins, Oneal.

H. B. No. 536 was reported favorably by viva voce vote.

H. B. No. 203 was reported favorably by viva voce vote.

H. B. No. 647 was reported favorably by viva voce vote.

H. B. No. 646 was reported favorably by viva voce vote.

H. B. No. 542 was reported favorably by viva voce vote.

H. B. No. 541 was reported favorably by viva voce vote.

H. B. No. 540 was reported favorably by viva voce vote.

H. B. No. 539 was reported favorably by viva voce vote.

H. B. No. 538 was reported favorably by viva voce vote.

H. B. No. 537 was reported favorably by viva voce vote.

H. B. No. 535 was reported favorably by viva voce vote.

H. B. No. 534 was reported favorably by viva voce vote.

H. B. No. 533 was reported favorably by viva voce vote.

H. B. No. 532 was reported favorably by viva voce vote.

H. B. No. 531 was reported favorably by viva voce vote.

H. B. No. 643 was reported favorably by viva voce vote.

H. B. No. 642 was reported favorably by viva voce vote.

H. B. No. 652 was reported favorably by viva voce vote, with amendments.

H. B. No. 648 was reported favorably by viva voce vote, with amendments.

H. B. No. 649 was reported favorably by viva voce vote.

H. B. No. 650 was reported favorably by viva voce vote.

H. B. No. 653 was reported favorably by viva voce vote.

H. B. No. 654 was reported favorably by viva voce vote.

S. B. No. 72 was reported unfavorably by viva voce vote, with a notice of minority report given.

S. B. No. 343 was reported favorably by viva voce vote.

S. B. No. 345 was reported favorably by viva voce vote.

S. B. No. 351 was reported favorably by viva voce vote.

S. B. No. 350 was reported favorably by viva voce vote.

S. B. No. 344 was reported favorably by viva voce vote.

S. B. No. 349 was reported favorably by viva voce vote.

S. B. No. 348 was reported favorably by viva voce vote.

S. B. No. 346 was reported favorably by viva voce vote.

S. B. No. 490 was reported adversely by a vote of 4 nays, 1 aye.

S. B. No. 347 was laid on the table subject to call.

S. B. No. 342 was indefinitely postponed.

HERMAN B. HILL, JR., Secretary.

FIFTY-THIRD DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
April 25, 1935.

The Senate met at 10:00 o'clock a. m., pursuant to recess, and was called to order by Senator Frank Rawlings, Acting President Pro Tem.

House Bill No. 66.

Motion to re-refer.

Senator Redditt asked unanimous consent to have H. B. No. 66 re-referred to the Committee on Finance.

Consent was granted.

House Bill No. 266.

Pending business was the substitute amendment by Senator Sulak for the pending amendment by Senator Holbrook to H. B. No. 266.

House Bill No. 406.

Senator Redditt received unanimous consent to suspend the regular order of business and to take up H. B. No. 406.

The Chair laid before the Senate on its second reading the following bill:

By Scarborough:

H. B. No. 406, A bill to be entitled "An Act to prohibit the hunting, trapping, ensnaring or killing of any wild deer, buck, doe or fawn within the limits of the counties of Jasper and Newton, State of Texas, for a period of three (3) years from and after the passage of this Act; providing a penalty therefor, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 406 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Senator DeBerry was recognized for a privileged motion.

S. J. R. No. 6.

Senator DeBerry moved that the Senate do concur in House amendment to S. J. R. No. 6.

Substitute Motion.

Senator Moore made a substitute motion that the Senate do not concur in House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on S. J. R. No. 6.

Motions pending.

Senate Bill No. 489.

Senator Oneal received unanimous consent to suspend the regular order of business and moved that the Senate do concur in House amendments to S. B. No. 489.

The motion prevailed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Senate Bill No. 520.

Senator Hornsby received unanimous consent to suspend the regular order of business and sent up the following local bill:

By Senator Fellbaum:

S. B. No. 520, A bill to be entitled "An Act amending the subdivision of Article 199, Revised Civil Statutes of 1925, relating to the district courts of Bexar County, being the subdivision identified by the numbers 37, 45, 57, 73, 94, so as to make such subdivision apply only to the district courts of the 37th, 45th,

57th, and 73rd judicial districts, and so as to provide an additional term for each of said courts; enacting provisions relating to the jurisdiction of said courts and providing for the transfer of cases as between said courts and providing for all things necessary to be done in connection with any such cases so transferred; providing for all things necessary and incidental to the main subject and purpose of this act whether mentioned in the caption or not and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

S. J. R. No. 6.

The question recurred on the pending motion to concur and the substitute motion for the appointment of a Conference Committee on S. J. R. No. 6.

Point of Order.

Senator Martin raised the point of order that the gentleman was out of order in that his remarks were not germane to the motion.

The Chair overruled the point of order.

Senator DeBerry withdrew his pending motion.

Personal Privilege.

Senator Moore rose to a point of personal privilege.

Senate Resolution No. 87.

Senator Sulak sent up the following courtesy resolution:

Whereas, Professor Baucher, trustees and students of the La Grange High School are in the gallery; and,

Whereas, The Hon. Geo. E. Lenert is present; therefore, be it

Resolved, That the privilege of the floor be extended to the visitors and that they be invited to sing for the Senate.

SULAK,
HOLBROOK.

Read and unanimously adopted.

S. J. R. No. 6.

The question recurred on the motion by Senator Moore.

The motion prevailed by viva voce vote.

At Ease.

On motion of Senator Sulak the Senate stood at ease for five minutes to hear the students of La Grange High School sing.

Senate Called to Order.

Senator Rawlings called the Senate to order at 12:00 o'clock noon.

Motion to Recess.

Senator Hopkins at 12:01 o'clock p. m. moved that the Senate recess until 2:00 o'clock p. m.

The motion prevailed by viva voce vote.

After Recess.

The Senate met at 2:00 o'clock p. m. pursuant to recess and was called to order by Senator Rawlings.

House Bill No. 11.

Senator Westerfeld sent up the Conference Committee report on H. B. No. 11 and received unanimous consent to have it laid on the table subject to call.

House Bill No. 266.

Pending business was H. B. No. 266.

Motion to Table.

Senator Hopkins moved to table the pending substitute amendment by Senator Sulak.

The motion prevailed by the following vote:

Yeas—18.

Beck.	Neal.
Burns.	Oneal.
Collie.	Poage.
Cotten.	Redditt.
Duggan.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Isbell.	Stone.
Moore.	Van Zandt.

Nays—7.

DeBerry.	Rawlings.
Hill.	Sulak.
Holbrook.	Westerfeld.
Martin.	

Absent.

Davis.	Woodruff.
Pace.	

Absent—Excused.

Fellbaum.

(Pair Recorded.)

Senator Blackert (present), who would vote nay with Senator Regan (absent), who would vote yea.

The question recurred on the adoption of the amendment by Senator Holbrook.

H. C. R. No. 97.

Senator Hopkins received unanimous consent to suspend the regular order of business to take up H. C. R. No. 97 "Permitting the suspension of Joint Rules Nos. 23, 24 and 32 for the purpose of allowing the House to consider until finally disposed of H. B. No. 585."

Senator Hopkins moved that the Senate rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 97 be taken up and considered at this time.

The motion prevailed.

H. C. R. No. 97 was adopted by viva voce vote.

Senator Westerfeld was recognized for a privileged motion.

House Bill No. 11.

Senator Westerfeld called from the table the Conference Committee report on H. B. No. 11 and moved the adoption of the report.

Substitute Motion.

Senator Oneal moved as a substitute that the Senate do not adopt the Conference Committee report, but that it be returned to the Conference Committee for further consideration.

Motion to Table.

Senator Rawlings moved to table the substitute motion.

The motion to table prevailed by the following vote:

Yeas—16.

Davis.	Poage.
Holbrook.	Rawlings.
Hopkins.	Sanderford.
Hornsby.	Small.
Isbell.	Stone.
Martin.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.

Nays—12.

Beck.	Duggan.
Blackert.	Hill.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Redditt.
DeBerry.	Woodruff.

Absent.

Shivers.

Absent—Excused.

Fellbaum.

Regan.

Committee Room,
Austin, Texas, April 24, 1935.

Hon. Walter F. Woodul, President of the Senate,
and

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the two Houses on H. B. No. 11, recommend that said bill be adopted in form and text as submitted herewith.

Respectfully submitted,

WESTERFELD,

MOORE,

RAWLINGS,

On part of the Senate.

STINSON,

SPEARS,

BUTLER of Brazos,

HOWARD,

SETTLE,

On part of the House.

H. B. No. 11.

A BILL**To Be Entitled**

An Act making appropriation of funds to be expended for the purpose of creating and conducting celebrations commemorating the historic period of Texas history, celebrating a century of independence and progress, and other purposes incident thereto; said celebrations to be held during the period beginning May 1, 1935, and ending December 31, 1936; providing that this Act shall supplement the act passed by the Second Called Session of the Forty-third Legislature creating the Texas Centennial Commission, and that this Act repeals such parts of such former Act as are in conflict with it; providing that the Texas Centennial Central Exposition, a corporation, shall by writ-

ten contract with the Commission of Control assume the payment of the One Hundred Thousand (100,000) Dollars advanced to the Centennial Commission under said former Act out of ten per cent (10%) of the first gross receipts received by said Texas Centennial Central Exposition; providing for the creation of the Commission of Control of Texas Centennial celebrations, and providing for the manner of appointment of the members thereof; and providing for the powers and duties of such Commission; delegating to such Commission the authority to determine where Centennial celebrations may be held, and giving such Commission supervisory authority over such celebrations; defining "celebrations"; and providing that local communities where such celebrations are to be conducted may be required to contribute funds; for pageant and other similar celebrations, creating the Advisory Board of Texas Historians, and prescribing the powers and duties thereof; creating an Advisory Board for Advertising, and prescribing the powers and duties thereof; providing that all expenditures of funds shall be under the control and supervision of the Board of Control of the State of Texas; providing that the Attorney General shall approve the title to land acquired by lease or purchase; providing that all funds expended under the terms of this Act shall be drawn from the State Treasury by warrants signed by the Comptroller of Public Accounts and the Treasurer of the State of Texas; providing that wages paid under this Act shall be controlled as far as practicable by the provisions of Chapter 45, Acts of the Regular Session of the Forty-third Legislature, and that on construction work, the Board of Control shall provide that the work shall be done with Texas labor, and as far as practicable the use of Texas materials; that all permanent buildings erected in the City of Dallas upon the site of the Central Exposition shall be constructed in accordance with plans and specifications approved by the Texas Centennial Central Exposition, a corporation; providing for the use, possession, and occupancy of such buildings, the lease thereof to the City of Dallas,

and the rental to be paid therefor; requiring such buildings to be protected by fire and tornado insurance; providing that the funds appropriated by the terms of the Act shall not be available until the Commission of Control for Centennial Celebrations has filed with the Comptroller a resolution approving plans for the Central Celebration at Dallas; preventing the switching of funds from one allocation to another, and prohibiting the expenditure of such funds for salaries or expenses for envoys outside of continental North America; limiting salaries to Four Thousand (\$4,000) Dollars per year; making it unlawful for any member of the Texas Centennial Commission, the Commission of Control of Texas Centennial Celebrations, or any member of any advisory board to charge, receive, or claim, directly or indirectly, fees, commissions, retainers, or brokerage out of any fund or funds appropriated by the Act; precluding any such persons from having any interest in any lands, materials, concessions, or contracts sold to or made with the Centennial Commission, Commission of Control, or the Centennial Commission advisory boards, or any individual or any committee represented by any member of said commissions or boards; providing for an audit of expenditures of the One Hundred Thousand (\$100,000) Dollars heretofore appropriated to the Centennial Commission, and the allocation of the unexpended balance thereof to the Board of Control to be used in paying administrative expenses; authorizing the Commission of Control to employ such technical advisers, secretaries, and other employees necessary to carry out the provisions of this Act; providing for the filling of vacancies on the Commission of Control, the Advisory Board of Texas Historians, and the Advisory Board for Advertising; requiring seventy-five (75) per cent of the net receipts of the Texas Centennial Central Exposition at Dallas to be paid into the Treasury of the State of Texas for the benefit of the General Fund, such receipts not to exceed Three Million (\$3,000,000) Dollars; defining "net receipts"; giving the Board of Control authority to make independent audits of all of

the operations and affairs of the Texas Centennial Central Exposition, a corporation; providing for joint meetings of the Texas Centennial Commission and the Commission of Control; authorizing and directing the Commission of Control for Texas Centennial Celebrations to make immediate application to the Federal Government for additional appropriations or allocation of Federal funds to be expended for the purposes enumerated in the Act; providing for a saving clause; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of Three Million Dollars (\$3,000,000) be and the same is hereby appropriated out of the general revenue fund of the State of Texas not otherwise appropriated, to be expended for the purpose of creating and conducting celebrations commemorating the heroic period of early Texas history, and celebrating a century of the independence and progress of Texas as a Republic and State, and for the other purposes incident thereto as herein provided. Said celebrations are to be held during the period beginning May 1, 1935, and ending December 31, 1936. The funds thus appropriated are allocated as follows:

Item Number One.

(1) The sum of One Million Dollars (\$1,000,000), or so much thereof as may be necessary, shall be used for the purpose of erecting exposition buildings upon the site of the Centennial Central Exposition in the City of Dallas.

Item Number Two.

(1) The sum of Two Hundred Thousand Dollars (\$200,000), or so much thereof as may be necessary, shall be used to equip and furnish such buildings.

Item Number Three.

(1) The sum of Two Hundred Twenty-Five Thousand Dollars (\$225,000), or so much thereof as may be necessary, is hereby appropriated and allocated to be used in gathering and preparing materials

for exhibits of natural and civic history, such as constitute usual exhibits in museums of natural history and history; and for furnishing and equipping the Texas Memorial Museum building. Such exhibits are to be displayed in the Texas Memorial Museum, funds for the construction of which are to be secured by donations from individuals, public and private agencies, gifts and subscriptions. The raising of said funds with which to construct said museum building is to be sponsored by the Texas Centennial Committee of the American Legion of the State of Texas, which building is to cost approximately Seven Hundred Fifty Thousand (\$750,000) Dollars when completed, and is to be located on the campus of the University of Texas in the City of Austin. And the Board of Regents of the University of Texas is hereby constituted the Board of Directors of the Museum and as such shall have complete authority over the same, including the expenditure of the sum herein appropriated and allocated for the purposes above mentioned; provided, however, that not more than ten (10) per cent of the sum herein appropriated may be expended for promotional and administrative expenses; provided further, however, the expenditure of the money herein appropriated shall be on vouchers properly approved by the Chairman of the Board of Regents and attested by the Secretary of said Board, and such approval shall be sufficient authority for the Comptroller of Public Accounts to draw a warrant in payment of any claim properly approved by the Board of Regents of the University of Texas against this appropriation, and shall be in accordance with the general provisions of law covering the issuance and payment of vouchers by the Comptroller and Treasurer, respectively, of the State of Texas. Said museum is to be a part of the Texas Centennial celebrations and expositions provided for in this Act.

Item Number Four.

(1) The sum of Five Hundred Thousand Dollars (\$500,000), or so much thereof as may be necessary, shall be used to conduct a State and National publicity and advertising campaign in behalf of all Texas rela-

tive to said Centennial during the period beginning May 1, 1935, and ending December 31, 1936.

Item Number Five.

(1) The sum of One Million and Seventy-five Thousand Dollars (\$1,075,000), (and such other sums as may be re-allocated to this fund under the terms and provisions of Section 14 of this Act), or so much thereof as may be necessary, shall be used to defray the expenses, or the portion thereof above the amount of local funds contributed, or facilities furnished, of Centennial celebrations and expositions, as that term is hereinafter broadly defined, outside of the County of Dallas and within the State of Texas.

(2) Out of said \$1,075,000 the sum of Two Hundred Fifty Thousand (\$250,000) Dollars is hereby set apart to be used for improving the Alamo and a celebration, as that term is herein defined, commemorating the Alamo in the City of San Antonio.

(3) Out of said \$1,075,000, the sum of \$250,000.00 is hereby set apart and allocated and shall be used for the erection and equipping of a permanent memorial at the San Jacinto Battlefield commemorating that historic battle.

(2) The Commission of Control may expend an appropriate amount of the sum herein allocated in Item Five for the purpose of erecting at some suitable place in Texas to be selected by the said Commission, a memorial to the pioneer womanhood of this State.

Sec. 2. This Act shall be supplemental to the Act passed by the Second Called Session of the Forty-third Legislature, creating a Texas Centennial Commission and cumulative thereof, except that such parts of said creating Act as are in direct conflict with the provisions of this Act are hereby specifically repealed and superseded; provided this Act does not repeal the requirement in the Act of the Second Called Session, Forty-third Legislature, requiring the Texas Centennial Commission to repay to the State of Texas the One Hundred Thousand Dollars (\$100,000) appropriated in said Act creating said Commission; provided, however, that the Texas Centennial Central Exposition, a corporation,

shall legally assume and agree to repay to the State of Texas all of said sum of One Hundred Thousand Dollars (\$100,000), hereinbefore referred to, out of ten per cent of the first gross receipts reported to and received by the said Texas Centennial Central Exposition, a corporation, and for the purpose of said assumption shall enter into a written contract by and between said Texas Central Exposition Corporation and the Commission of Control and the Board of Control of the State of Texas; and the funds appropriated herein for said Central Exposition shall not be available unless and until such contract or legal assumption shall have been made and executed on the part of said corporation, as hereinbefore provided.

Sec. 3. There is hereby created a commission of Control for Texas Centennial celebrations to be composed of nine members, of which the Lieutenant Governor of the State of Texas shall be a member and chairman; and the Speaker of the House of Representatives shall also be a member and vice-chairman; of the remaining seven (7) members, the Governor shall appoint three (3), the Lieutenant-Governor two (2) and the Speaker of the House of Representatives two (2), such appointees shall be confirmed by a two-thirds ($\frac{2}{3}$) vote of the Senate of Texas present. The duties of the Commission of Control for Texas Centennial celebrations shall be to approve in writing plans for Centennial celebrations herein provided and to approve in writing all allocation of such sums of money as are necessary for the carrying out of their recommendations. Said Commission of Control is authorized to perform all other duties necessary to carry out the provisions and purposes of this Act.

Sec. 4. Centennial celebrations shall be held at such places as said Commission of Control for Texas Centennial celebrations shall determine. The authority to make such determination is hereby delegated to said Commission. Said Commission, in passing upon the application of any locality for a celebration shall take into consideration whether such locality has such historical significance as will justify the holding of such celebrations, and also such

locality's accessibility and local facilities and financial ability to contribute local funds. Within the term "celebration" as used in this Act with reference to all places except the City of Dallas, is included the following: the placing of suitable markers, memorials or buildings at places where historic events occurred; the restoring of all or parts of old houses, forts, Indian villages, and other old structures connected with the history of the territory now embraced within the State of Texas; the placing of monuments to early patriots of Texas; the purchasing of suitable tracts of land where necessary for an approved celebration; and the staging of pageants at appropriate places; expositions in the recognition of the basic industries and their historical significance in the progress and growth of Texas; provided that in the matter of celebrations as herein defined above the said Commission may require or accept a contribution by each local community, which may be substantial and proportionate to the amount allowed by the Commission; provided further that in requiring such contributions in the matter of celebrations the said Commission may take into consideration the amounts already expended by each local community in preserving its historical spots and facilities for such celebrations and expositions; provided, however, that the Commission of Control shall not have authority to compel contributions or matching of funds for the placing of markers, the construction of memorials or buildings, the erection of monuments, or other permanent improvements, but may accept contributions for such purposes from the community applying for such celebration. The Commission may within its discretion require the matching or contribution of funds to pay the cost of pageants and similar celebrations.

Sec. 5. (1) There is hereby created an Advisory Board of Texas Historians to be selected by the Commission of Control, consisting of three (3) members, whose duty it shall be to investigate and report upon and make recommendations to the said Commission of Control as to the authenticity of the claims for Centennial celebrations and expositions, as that term is hereinbefore

defined, of the various places which shall apply to said Commission therefor, and as to the relative merits of such claims, and as to the kind and character of celebration or exposition, as that term is hereinbefore defined, if any, to which each such place so applying should be entitled, and as to the advisability of all the various expenditures proposed by said applicant or contemplated by said Commission of Control. In all cases the Commission of Control shall have final decision and jurisdiction in the matter of the above celebrations and observances and the expenditures relative thereto. The Advisory Board of Historians shall receive and consider every application made for a celebration and must seek the advice and cooperation of the local Centennial Advisory Board of the county from which application is made. It shall be the duty of the Advisory Board of Texas Historians after investigation to make a written report and recommendation upon each application to the Commission of Control for Centennial Celebrations. Duplicate copies of these reports shall be filed in the office of the Secretary of State and shall be open during office hours for public inspection. The Advisory Board of Texas Historians shall receive no compensation. The Centennial Commission of Control shall have authority to remove any member of such Board. The headquarters of the Advisory Board of Texas Historians shall be in Austin, Texas. The reasonably necessary expenses incurred in the performance of the duties of such advisory board shall be authorized by the Commission of Control, and paid out of the funds hereinafter allocated to the Board of Control for administrative expenses.

(2) There is hereby created an Advisory Board for Advertising, which shall consist of three (3) members to be appointed by the Commission of Control. The members of said advertising board shall be men of experience and training in various fields of State and National publicity and advertising. The Commission of Control shall have the authority to remove any member of such board. It shall be the duty of said advertising board to formulate a program of State and National

publicity and advertising and recommend in writing the same to the Commission of Control, but such recommendations shall be advisory only. The Advisory Board of Advertising shall receive no compensation. The reasonably necessary expenses incurred in the performance of its duties shall be authorized by the Commission of Control, and shall be paid out of the funds hereinafter allocated to the Board of Control for administrative purposes.

Sec. 6. All expenditures and contracts authorized by the Commission of Control shall be made, let, supervised and expended by the Board of Control of the State of Texas, according to all legal requirements now provided as to the expenditure of funds and the letting of contracts by said Board of Control.

Sec. 7. The Commission of Control and the Board of Control of the State of Texas are hereby prohibited from contracting for the purchase or acquirement by lease or otherwise of real estate unless and until the deeds, records, and all other necessary legal documents incident thereto have been approved by the Attorney General of the State of Texas, as now provided by law.

Sec. 8. All funds expended under this Act shall be drawn from the Treasury of the State of Texas by warrants properly signed by the Comptroller of Public Accounts and the Treasurer of the State of Texas, as is now provided by law.

Sec. 9. On all permanent buildings or projects constructed with funds appropriated by this Act the provisions of Chapter 45, Acts of the Regular Session of the Forty-third Legislature, shall apply to wages paid.

Sec. 10. In the employment of laborers and artisans in all construction work to be paid for out of the funds appropriated under the terms of this Act, the Board of Control shall provide that the work shall be done with Texas labor and, as far as practicable, to use Texas materials. The other cities of Texas shall not be discriminated against in favor of Dallas.

Sec. 11. All permanent buildings to be erected in the City of Dallas for the Central Exposition erected out of funds hereby appropriated shall be upon the site of the Centen-

nial Central Exposition in the City of Dallas in accordance with plans and specifications approved by the Texas Centennial Central Exposition, and on land the title to which shall be in the State of Texas. The Texas Centennial Central Exposition shall have the right to, possession of, and the free use and occupancy of the said buildings for the duration of the Central Exposition; provided, however, that the aforesaid buildings and the land on which they will be situated are hereby leased by the State of Texas to the City of Dallas for a period of twenty (20) years, commencing at the termination of the Central Exposition, at a rental of One Hundred (\$100) Dollars per year for said buildings, payable annually in advance. During the term of such lease said buildings shall be used for public purposes, including annual State Expositions, and shall not be maintained or operated for purposes of private profit; there shall be no charge imposed upon any exhibitor in any of said buildings for exhibit space, and there shall be no admission charge for entrance into buildings erected out of State funds. The cost of an adequate amount of fire and tornado insurance covering said buildings, and the reasonable cost of maintenance of said buildings, shall be paid by the Texas Centennial Central Exposition, a corporation, until the termination of said Central Exposition. From and after that date, the cost of such insurance and such maintenance shall be borne by the aforesaid lessee, being the City of Dallas.

Sec. 12. In no event shall the funds herein provided be available unless and until the Commission of Control for Centennial Celebrations has filed with the Comptroller of the State of Texas a resolution approving the plans of the Texas Centennial Central Exposition for the central celebration at Dallas, and certifying further that said Central Exposition has the ability and intention in good faith to carry out said plans.

Sec. 13. The amount of money allocated to any community by the Commission of Control for a celebration, as that term is herein defined, shall also cover the expenses incident to such celebration or project, and no additional expense money

or funds out of state funds for any other purpose shall be allowed thereafter in addition to the allocation thus made.

Sec. 14. No part of any one of the allocations of said funds as provided in this Act shall at any time be used for the purposes of any other one or more of said funds; provided, however, that any unexpended balance remaining out of any allocation made, after the Board of Control has complied with the recommendations of the Commission of Control or any specific expenditure shall be re-allocated to Item Number Five, of Section 1, of this Act, and shall be available for expenditure for the purposes therein named.

Sec. 15. No part of the funds herein appropriated shall be expended for salary or expenses, directly or otherwise, for envoys outside of continental North America; provided no part of the funds under Items Nos. 3 and 5 shall be used for envoys anywhere.

Sec. 16. No person shall receive as salary, commission, or compensation out of said State funds herein appropriated more than Four Thousand (\$4,000.00) Dollars per year.

Sec. 17. It shall be unlawful for any member of the Texas Centennial Commission, the Commission of Control for Texas Centennial Celebrations, or any member of any advisory board provided for herein to charge, receive, or obtain, directly or indirectly, any fee, commission, retainer, or brokerage, out of any fund or funds hereby appropriated, or by reason of any expenditure of such fund or funds; and no member of the Centennial Commission, the Commission of Control, or any advisory board provided for herein, shall have any interest in any land, materials, concessions, or contracts sold to or made with either the Centennial Commission, the Commission of Control, or the Centennial Commission advisory boards, or any individual or committee represented by any member of said Centennial Commission, Commission of Control, or Advisory Boards. Violation of any of the provisions of this Section shall be a misdemeanor, and, upon conviction, punishment shall be by removal from such Commission, Commission of Control, or advisory board, and by fine of not less than

One Hundred (\$100) Dollars nor more than One Thousand (\$1,000) Dollars, or by confinement in the county jail for any time not to exceed six (6) months, or by both such fine and imprisonment.

Sec. 18. To provide funds for the administration of this Act, the Board of Control of the State of Texas immediately upon the taking effect of this Act shall cause to be made an audit of the expenditures of the Texas Centennial Commission out of the One Hundred Thousand (\$100,000) Dollars heretofore appropriated to the Centennial Commission. The unexpended portion of said funds are hereby appropriated to the said Board of Control as an expense fund for the administration of the duties imposed on said Board of Control by this Act; and such funds are hereby made available for the said Board of Control for such purposes.

Sec. 19. The Commission of Control is hereby authorized to employ such technical advisers, secretaries, and other employees as in their judgment may be found necessary, subject to the provisions of this Act and the other laws of Texas. Funds for the payment of such employees shall be made available by the Board of Control out of the fund for administrative expense above provided for on written request of the Commission of Control. The reasonably necessary expenses of the members of the Commission of Control in performing their duties under this Act are hereby authorized and shall be paid on proper requisition to the Board of Control; provided, however, that in no event shall the Commission of Control request the expenditure of more than Twenty-five Thousand (\$25,000) Dollars for such purposes.

Sec. 20. Vacancies arising on the Commission of Control shall be filled by the authority first making the appointment under this Act. Vacancies on the Advisory Board of Texas Historians and on the Advisory Board for Advertising shall be filled by the Commission of Control.

Sec. 21. Seventy-five (75) per cent of the net receipts received from all sources by the Texas Centennial Central Exposition at Dallas, after paying all debts of said exposition, including the corporation bond issue

which shall never exceed Two Million Five Hundred Thousand (\$2,500,000) Dollars, as is now provided in the corporation's trust indenture, shall be paid into the Treasury of the State of Texas for the benefit of the General Fund; provided, however, out of such net receipts the Texas Centennial Central Exposition shall not be required to pay into the State Treasury more than Three Million (\$3,000,000) Dollars; said payment into the State Treasury shall be made within six (6) months after the official closing of the Central Exposition at Dallas. By net receipts is meant all profits arising from admissions, concessions, privileges, rentals, leases, and any and all other sources from which any funds may be derived. The said Central Exposition corporation shall keep an accurate record of all receipts received as a result of said Centennial celebration and of all expenditures, and within six (6) months from the official closing of said exposition said corporation shall cause to be furnished and filed with the Treasurer of the State of Texas a certified public audit showing the complete condition of the affairs of said corporation; and said report shall be accompanied by a certified check for an amount equal to seventy-five (75) per cent of the net receipts limited, however, to a total of Three Million (\$3,000,000) Dollars; and the Board of Control of the State of Texas shall have the authority to have a complete independent audit made of all of the operations and affairs of the Central Exposition corporation.

Sec. 22. The Commission of Control is hereby directed immediately upon the passage of this Act to request the President of the Texas Centennial Commission to call a meeting of the Texas Centennial Commission at such time and place as he may designate. The Commission of Control is authorized and directed to attend said meeting for the purpose of discussing a program for the Centennial celebrations, and to receive information and records now available from the Centennial Commission. The Commission of Control is further authorized, when in their judgment a meeting with the Texas Centennial Commission would be to the best interest of

Centennial celebrations in Texas, to request the President of the Texas Centennial Commission to call such meeting; provided, however, that there shall be at least one such meeting during each four months period until the expiration of this Act. The reasonably necessary expenses of the members of the Texas Centennial Commission in attending these meetings called by the President shall be paid out of the funds provided in Section 2 hereof, and in the manner herein above provided.

Sec. 23. The Commission of Control for Texas Centennial celebrations is hereby authorized and directed immediately after the passage of this Act to make formal application for the participation of the Federal Government in the Texas Centennial celebrations through proper channels and for adequate appropriation or allocation of Federal funds for that purpose. Any funds so received, unless otherwise directed by the Federal Government, shall be under the direction and control of the said Commission of Control to be expended under the provisions of this Act controlling the expenditures of the moneys herein appropriated; provided, however, that at least fifty (50) per cent of any such funds shall be added to the fund for local celebrations as set forth in Item Number Five, of Section 1, and expended by the Commission for such purposes. The Board of Regents of the University of Texas is hereby given authority to apply to the Federal Government, or any agency thereof, and to receive from the Government or such agencies, funds to be expended in erecting and completing the Texas Memorial Museum and/or securing material for exhibits to be displayed therein.

Sec. 24. It is understood and expressly provided that should any section, clause, or provision of this Act be hereafter held invalid for any reason, such invalidity shall not in any way affect any other provision of this Act.

Sec. 25. The fact that a very brief time now remains to prepare for the holding of a Texas Centennial celebration on a scale commensurate with the glorious history of our State, the patriotism of our people, and the progress of the past century

creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House, and the Constitutional Rule requiring bills to take effect and go into force ninety days after adjournment of the session, be suspended, and said rules are hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The conference committee report was adopted by the following vote:

Yeas—17.

Davis.	Rawlings.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Isbell.	Stone.
Martin.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.
Poage.	

Nays—12.

Beck.	Duggan.
Blackert.	Hill.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Redditt.
DeBerry.	Woodruff.

Absent—Excused.

Fellbaum. Regan.

Reason for Vote.

Mr. President: I vote "nay" on the adoption of the motion of the Senator from Dallas to accept and adopt the conference committee report on H. B. No. 11, known as the Centennial Appropriation Bill for the reason that I cannot believe it prudent when the estimates of the State Auditor and Efficiency Expert indicate a deficit of in excess of \$15,000,000, or of August 31, 1935. With no prospect of an appreciable increase in revenues from over burdened tax sources. The Centennial project is a notable one and the citizens of Dallas are responding in a generous way to make the central celebration a success, and I regret that, for the reasons stated, I cannot justify the State's participation in the expense involved.

WOODRUFF.

House Bill No. 266.

The question recurred on the adop-

tion of the amendment by Senator Holbrook.

Motion to Table.

Senator Small moved to table the amendment by Senator Holbrook.

The motion prevailed by the following vote:

Yeas—18.

Beck.	Poage.
Burns.	Redditt.
Collie.	Sanderford.
DeBerry.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Neal.	Van Zandt.
Oneal.	Woodruff.

Nays—8.

Blackert.	Moore.
Cotten.	Pace.
Hill.	Rawlings.
Holbrook.	Westerfeld.

Present—Not Voting.

Duggan.

(Pairs Recorded.)

Senator Martin (present) who would vote nay, with Senator Fellbaum (absent) who would vote yea.

Senator Davis (present) who would vote nay, with Senator Regan (absent) who would vote yea.

Senate Bill No. 4.

Senator Woodruff received unanimous consent to suspend the regular order of business and moved that the Senate do concur in House amendment to S. B. No. 4.

The motion prevailed by the following vote:

Yeas—27.

Beck.	Martin.
Blackert.	Moore.
Burns.	Neal.
Collie.	Oneal.
Cotten.	Pace.
Davis.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Isbell.	Small.

Stone.
Sulak.
Van Zandt.

Westerfeld.
Woodruff.

Nays—2.

DeBerry. Holbrook.

Absent—Excused.

Fellbaum. Regan.

House Bill No. 491.

Senator Moore received unanimous consent to suspend the regular order of business and take up H. B. No. 491.

The Chair laid before the Senate:

By Mr. Hofheinz, Mr. Howard, Mr. Holland and Mr. Morse:

H. B. No. 491, A bill to be entitled "An Act providing for a civil service commission in cities having a population of more than 290,000, and in counties having a population of more than 350,000, both according to the Federal census last preceding; establishing a method for the election of the members of said commission; fixing the terms of office of said members, and providing for the functioning of said commission; providing for a civil service system based upon examination and investigation as to merit, efficiency, and fitness for appointment, employment, and promotion of individuals appointed in and employed by said cities and counties, etc., and declaring an emergency."

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 491 was put on its second reading by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent—Excused.

Fellbaum. Regan.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and H. B. 491 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent—Excused.

Fellbaum. Regan.

Read third time and finally passed by viva voce vote.

Vote Recorded.

Senator Rawlings asked to be recorded as voting "no" on final passage of H. B. No. 491.

Senate Bill No. 467.

Senator Burns moved that the Senate do concur in House Amendments to S. B. No. 467.

Substitute Motion.

Senator Van Zandt moved as a substitute that the Senate do not concur and that a Conference Committee be appointed to adjust the differences between the two Houses.

The substitute motion lost by the following vote:

Yeas—12.

Collie.	Neal.
Cotten.	Oneal.
Davis.	Stone.
DeBerry.	Sulak.
Hornsby.	Van Zandt.
Isbell.	Woodruff.

Nays—16.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Duggan.	Redditt.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Martin.	Small.
Moore.	Westerfeld.

Absent.

Hill.

Absent—Excused.

Fellbaum. Regan.

The question recurred on the motion of Senator Burns to concur.

The motion pending.

Motion to Suspend Rule.

Senator Oneal received unanimous consent to suspend the regular order of business and moved to suspend the constitutional rule relating to the time for the introduction of bills. The motion prevailed by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent—Excused.

Fellbaum. Regan.

Senate Bill No. 521.

By Senator Oneal.

S. B. No. 521, A bill to be entitled

"An Act providing that no person shall inherit or take any property either under the laws of descent and distribution or under a will or testament, who as the principal or as an accomplice wilfully brings about the death of the owner of such property and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

S. C. R. No. 48.

Senator Small received unanimous consent to suspend the regular order of business and sent up the following resolution:

Whereas, Senate Bill No. 242, Chapter 173, Acts of the Forty-third Legislature, Regular Session, provided an emergency appropriation for salary aid, high school tuition aid, transportation aid, tax supplement aid, high school tuition and per capita aid and consolidation bonus aid to rural school districts; and

Whereas, the Briscoe Rural High School District No. Two of Wheeler and Hemphill Counties and Mountain View District No. Thirty-six of Wheeler County were inadvertently omitted from said Senate Bill No. 242 mentioned above; and

Whereas, said Briscoe Rural High School District No. Two of Wheeler and Hemphill Counties and said Mountain View District No. Thirty-six of Wheeler County are eligible to participate in the benefits of said Bill and from funds appropriated for Consolidation Bonus Aid inasmuch as it was the intention of the Legislature in passing bills of this nature to care for all school districts eligible to receive aid under the same; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Governing Bodies of said school districts be and they are hereby authorized to file claims for aid under said bill with such supporting data as may be required to enable the State Department of Education to ascertain the exact amount of money due said districts; and

Be It Further Resolved, That the State Department of Education be, and it is hereby, authorized to consider the claims of such school districts and to determine the amount

due thereunder and to make payment to said districts upon the same basis as payment has heretofore been made to other districts similarly situated, and that such payments be made from any funds that may be unexpended from the Deficiency Appropriation provided for in Senate Bill No. 242 or any other similar appropriation made by the Legislature.

SMALL.

Read.

Senator Small moved that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. C. R. No. 43 be taken up and considered at this time.

The motion prevailed.

S. C. R. No. 43 was adopted by viva voce vote.

Senate Bill No. 467.

The question recurred on the motion to concur in House amendment to S. B. No. 467.

The motion prevailed by the following vote:

Yeas—22.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Martin.	Stone.
Moore.	Sulak.
Neal.	Westerfeld.

Nays—6.

Collie.	Isbell.
DeBerry.	Van Zandt.
Hornsby.	Woodruff.

Absent.

Duggan.

Absent—Excused.

Fellbaum.

Regan.

Senate Bill No. 407.

Senator DeBerry received unanimous consent to suspend the regular order of business and moved that the Senate do concur in House Amendments to S. B. No. 407. The motion prevailed by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent—Excused.

Fellbaum.

Regan.

S. J. R. No. 6.

Conference Committee Appointed.

The Chair appointed the following conferees on the part of the Senate on S. J. R. No. 6, Senators DeBerry, Van Zandt, Pace, Poage and Hopkins.

Bills Signed.

The Chair, Acting President Pro Tem. Senator Rawlings, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolution:

H. C. R. No. 96.

H. B. No. 185.

H. B. No. 386.

Messages From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, April 25, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 36, A bill to be entitled "An Act making appropriations for the support, maintenance, operation, and improvement of the State insti-

tutions of higher learning for the two fiscal years beginning September 1, 1935, and ending August 31, 1937, prescribing certain restrictions concerning the expenditure of said appropriations, and declaring an emergency."

(With amendments.)

S. B. No. 407, A bill to be entitled "An Act providing limiting the time within which ad valorem taxes may be collected by the State, any county, municipality, or other defined subdivision, and declaring an emergency."

(With amendments.)

S. B. No. 465, A bill to be entitled "An Act to provide that in all counties having a population of 350,000 or more, according to the last preceding Federal census, upon petition of one hundred and fifty or more of the qualified voters of such county, the county judge of such county shall order an election for the purpose of submitting to the qualified voters of such county the question of whether or not a tax for school purposes not to exceed one cent on the one hundred dollars valuation of taxable property in such counties shall be levied, assessed and collected for an equalization fund for the purpose of equalizing educational opportunities in such counties, and for the payment of administration expenses."

(With amendments.)

S. B. No. 489, A bill to be entitled "An Act to provide rules of practice and procedure in district courts sitting for all of their terms or for only some of their terms in a county where three district courts, with both civil and criminal jurisdiction, sit and have jurisdiction, none of which has more than four terms a year, and one of which sits and has jurisdiction in not less than two other counties, and declaring an emergency."

(With amendments.)

H. B. No. 668, A bill to be entitled "An Act governing the use of pasture or grazing land owned by two or more parties under one fence or enclosure, providing for the recovering of damages, punishment and penalties, and declaring an emergency."

H. B. No. 169, A bill to be entitled "An Act increasing the amount that

may be allowed by county boards of trustees to the county superintendents of public instruction for expenditures for office and traveling expenses in counties with a population of not less than seventy-seven thousand, and not more than seventy-seven thousand six hundred, according to the preceding Federal Census; repealing all laws or parts of laws, general or special, in conflict therewith, and declaring an emergency."

H. B. No. 575, A bill to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less than twenty-seven thousand two hundred and forty (27,240) nor more than thirty-five thousand (35,000) inhabitants, according to the last preceding United States Census, and prescribing how same shall be paid; providing that such shall be the salary of said commissioners so long as the taxable values in the county shall exceed the sum of twelve million dollars (\$12,000,000) for the next preceding year, etc., and declaring an emergency."

H. B. No. 578, A bill to be entitled "An Act amending Article 2550 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 201, Acts of the Regular Session of the Forty-third Legislature, authorizing and providing for county depositories for county funds, etc., and declaring an emergency."

H. B. No. 645, A bill to be entitled "An Act to amend Article 3521, Title 54, Revised Civil Statutes of the State of Texas, revision of 1925, and declaring an emergency."

The House has concurred in Senate Amendments to H. B. No. 189 by a vote of 104 ayes and 21 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 25, 1935.

Hon. Frank H. Rawlings, Acting
President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. B. No. 3, A bill to be entitled "An Act amending Article 924, Penal Code, 1925, making it unlawful to use certain explosives or other things harmful to fish in any of the waters

of this State; providing a penalty, and declaring an emergency."

H. B. No. 60, A bill to be entitled "An Act amending Section 3 of House Bill No. 81, Chapter 29, Acts of the First Called Session, Forty-third Legislature, and House Bill No. 31 of the Third Called Session of the Forty-third Legislature; providing for commercial fisherman's license, wholesale fish dealers' license, retail fish dealers' license, in towns of certain population, retail oyster dealers' license, retail dealers' truck license, bait dealers' license, shrimp trawl license, shrimp trawl license permitting use of a 'try net,' seine or net license, fish boat license, skiff license, oyster dredge license, and fish guide license and the fees and requirements for all of same, etc."

H. B. No. 80, A bill to be entitled "An Act to amend Article 6078, Revised Statutes, dealing with public parks, to read as follows."

H. B. No. 175, A bill to be entitled "An Act providing for the gathering of statistical information on the catch of the various marine products along the Texas coast; providing a penalty and declaring an emergency."

H. B. No. 336, A bill to be entitled "An Act to amend Article 755 of Chapter 1, Title 9, of the Code of Criminal Procedure of the State of Texas, 1925, prescribing the time when motions for new trials may be made in misdemeanors and felony trials, and declaring an emergency."

H. B. No. 363, A bill to be entitled "An Act creating the Commission of the Volunteer Army of the War with Spain to be composed of the Governor of the State of Texas, the Adjutant General of Texas, and the Department Commander of the United Spanish War veterans of Texas, and their successors in office, all without extra compensation, and the Governor as chairman; making an appropriation, etc., and declaring an emergency."

H. B. No. 491, A bill to be entitled "An Act providing for a civil service commission in cities having a population of more than 290,000, and in counties having a population of more than 350,000, both according to the Federal Census last preceding; establishing a method for the election of the members of said commission; fixing the terms of office of

said members, and providing for the functioning of said commission; providing for a civil service system based upon examination and investigation as to merit, efficiency, and fitness for appointment, employment, and promotion of individuals appointed in and employed by said cities and counties, etc., and declaring an emergency."

H. B. No. 516, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 17,000 and not more than 17,100 population, according to the last Federal Census, and declaring an emergency."

H. B. No. 522, A bill to be entitled "An Act to amend Chapter 138 of the Acts of the Regular Session of the Forty-third Legislature; extending the provisions of said Act so as to include associations or organizations, or local mutual aid associations, or State-wide mutual associations, and; extending the provisions of said Act so as to include insurance consultants, requiring such to obtain a license, and; providing for annual fee and annual report for all agents licensed under the provisions of this Act, and; providing for penalties, and declaring an emergency."

H. B. No. 552, A bill to be entitled "An Act authorizing the selection and the summoning of a general jury panel for jury service in the district and county courts in counties of Texas wherein two or more district courts are situated and maintained; defining district courts within the meaning of the Act; authorizing the judges of the district and county courts in any such county to meet together at stated intervals and determine the number of jurors necessary for jury service for all district and county courts during a period of two months or as many weeks in advance as they decide upon, etc., and declaring an emergency."

H. B. No. 749, A bill to be entitled "An Act amending Section 1, Section 2, Section 4, Section 5, Section 6, Section 7, Section 8, Section 9, Section 10, Section 11, Section 12, Section 13, Section 15, H. B. No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, and providing that venue of criminal prosecution shall be in Travis County or in the county where an offense is committed; providing that conviction may be had

upon the uncorroborated testimony of an accomplice, etc."

H. B. No. 755, A bill to be entitled "An Act defining certain words, terms, phrases; imposing an occupation or excise tax on first sale of cigarettes, according to weight, with certain exception; providing payment of tax shall be evidenced by stamps affixed to each individual package, said stamps to be purchased in unbroken sheets of one hundred (100) stamps only from Treasurer only except through requisition from Comptroller; provided stamps may be purchased and affixed to packages of cigarettes by manufacturer thereof outside the State exempting same from further taxation, etc., and declaring an emergency."

H. B. No. 657, A bill to be entitled "An Act amending Section 19 of H. B. No. 623, Chapter 180, Acts of Forty-third Legislature, Regular Session, and declaring an emergency."

H. B. No. 680, A bill to be entitled "An Act regulating the use of State-owned motor vehicles by employees of State Departments, Bureaus, Commissions, Institutions, and Agencies in political campaigns; fixing penalties, and declaring an emergency."

H. B. No. 704, A bill to be entitled "An Act authorizing any city having a population of more than one hundred and sixty thousand (160,000) inhabitants to own, operate, and maintain, construct, improve, and enlarge an airport and for such purpose to borrow money and issue warrants payable from taxation and further payable from the revenues of such airport; providing the form and contents of such warrants; limiting the amount of warrants which may be issued by any city to not more than one hundred and twenty-five thousand dollars (\$125,000) providing that no election shall be necessary to authorize such warrants, but that the city shall comply with the provisions of Chapter 163, Acts of the Forty-second Legislature, etc., and declaring an emergency."

H. B. No. 730, A bill to be entitled "An Act authorizing the county board of trustees in counties having a population of not less than 13,600 nor more than 20,000, as shown by the last preceding Federal Census, to set aside a certain amount of the available school fund apportioned to such counties to defray certain expenses in the administration of the scholastic affairs of such counties

with limitations; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 774, A bill to be entitled "An Act to permit Mrs. Otice Langham and her son, Gene Langham, both personally and in the capacity of some party as next friend to the said Gene Langham, to sue the State of Texas and the Texas National Guard for injuries the said Gene Langham sustained when he was run down and run over by an army truck and truck of the said Texas National Guard near Mineral Wells, during July, 1930, and declaring an emergency."

H. B. No. 839, A bill to be entitled "An Act providing for a rebate to owners of retail fish dealer's license purchased on or since September 1, 1934, and before September 26, 1934, for a place of business in any city or town of five thousand (5,000) and not more than seven thousand five hundred (7,500) population; and declaring an emergency."

H. B. No. 846, A bill to be entitled "An Act to declare it unlawful to take, hunt, trap, ensnare, kill or attempt to kill by any means whatsoever, any wild deer, buck, doe, fawn or wild turkey in Palo Pinto and Stephens Counties for a period of five (5) years from and after the passage of this Act; providing a penalty therefor, and declaring an emergency."

H. B. No. 861, A bill to be entitled "An Act granting to John Mulkey of Ellis County, Texas, permission to bring suit against the State of Texas and the State Highway Department, in the District Court of Ellis County, Texas, for damages sustained to his property by the construction of roadbed and excavating sides of roadbed adjacent to and upon his land on Highway No. 8 in Ellis County, Texas, impounding water on his land and destroying his farm, etc., and declaring an emergency."

H. B. No. 863, A bill to be entitled "An Act to validate all proceedings, orders and resolutions whereby any water improvement district or water control and improvement district, or irrigation district now organized and existing under the Constitution and laws of this State (other than water improvement district now organized and existing under the Constitution and/or laws of this State which obtain their water supply under contract with the United States) whether pursuant to an election or without

such election, has provided for refunding any part or all of its outstanding bonds or indebtedness theretofore authorized by an election held for that purpose as provided by law; etc., and declaring an emergency."

H. B. No. 887, A bill to be entitled "An Act authorizing the county judge to employ a stenographer or clerk in any county having a population of less than twenty thousand inhabitants according to the last preceding Federal Census, and a property valuation in excess of fifty million dollars according to the approved tax rolls for the preceding calendar year; etc., and declaring an emergency."

H. B. No. 906, A bill to be entitled "An Act authorizing F. J. Akin, J. F. Rochelle, and the Texarkana National Bank, a corporation, to sue the State of Texas to recover the amount due, or that may be found to be due, upon Comptroller's Deficiency Certificate No. 2417, for the sum of \$264, issued to J. F. Akin of date August 28, 1930, fixing the venue of such suit, providing for the issuance of service of process therein, and declaring an emergency."

H. J. R. No. 18, Proposing an amendment to Section 26, Article I of the Constitution of the State of Texas, so as to authorize municipalities to make flat-rate contracts with public utilities for any number of years, not exceeding twenty (20), etc.

H. J. R. No. 48, A joint resolution proposing an amendment to Section 1 of Article XVII of the Constitution of Texas, providing that constitutional amendments may be submitted by the Legislature at Special Sessions under certain conditions; providing for an election on the question of the adoption of such amendment and providing for the proclamation and the publication thereof; prescribing the form of ballot and making an appropriation therefor.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 25, 1935.

Hon. Frank H. Rawlings, Acting
President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 10, A bill to be entitled "An Act defining and regulating the practice of dentistry in the State of

Texas; providing for the creation of the State Board of Dental Examiners and prescribing their powers and duties; providing for the examination and licensing of dentists and the recording of licenses issued to dentists and for the annual registration of licensed dentists; providing grounds upon which such licenses may be suspended or revoked and the procedure to be followed in suspending or revoking same; providing civil and criminal remedies and penalties for the enforcement of the laws regulating the practice of dentistry and to prevent the unlawful practice of dentistry; defining certain unlawful acts and practices taking place in connection with the practice of dentistry and prescribing penalties therefor, and amending Articles 4543, 4544, 4545, 4546, 4549, 4551, of the Revised Civil Statutes of 1925; also amending Chapter 9, Title 71, Revised Civil Statutes of 1925, by adding Article 4544a immediately after Article 4544 as amended herein, and by adding Article 4549a immediately after Article 4549 as amended herein and by adding Article 4550a immediately after Article 4550, and by adding Article 4551a immediately after Article 4551 as herein amended; and amending Articles 747, 749, 750, 752, 754 of the Penal Code of 1925; and also amending Chapter 7, Title 12, of the Penal Code of 1925 by adding Article 751a immediately after Article 751, and by adding Article 752a immediately after Article 752 as amended herein, and by adding Article 754a immediately after Article 754 as amended herein; and declaring certain legislative intent in respect of this Act; and declaring an emergency."

(With amendments.)

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 25, 1935.

Hon. Frank H. Rawlings, Acting
President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. B. No. 829, A bill to be entitled "An Act exempting from taxation institutions or organizations such as Texas Federation of Women's Clubs of Texas or local organizations of such a body; and declaring an emergency."

H. C. R. No. 97, Permitting the suspension of Joint Rules No. 23, 24 and 32 for the purpose of allowing the House to consider until finally disposed of H. B. No. 585.

H. C. R. No. 98, Requesting establishment of C. C. C. camps along the Sulphur River.

The House has adopted the Conference Committee report on H. B. No. 11 by a vote of 78 yeas, 63 nays.

S. B. No. 141, A bill to be entitled "An Act amending Article 2910 of the Revised Civil Statutes of the State of Texas, 1925, eliminating from the said Article the provision which prohibits any person interested in the publication of textbooks or in selling the same to be used in the public schools of this State from being eligible to hold certain positions in the public schools in this State, and declaring an emergency."

S. B. No. 227, A bill to be entitled "An Act creating a State Conservation Board, providing for its duties, fixing the membership thereof, providing for its organization, conferring on it authority to adopt rules and regulations governing its organization and the conduct of its business, providing its authority; conferring on the commissioners' courts of the several counties authority to provide for the construction of improvements on lands, in the nature of farm terraces, dikes, ditches, soil and water conserving dams, and other soil and water conservation and erosion prevention services; and providing for assessing land-owners within their respective counties to assist in the construction and maintenance of all such improvements and devices, under rules and regulations to be prescribed by the State Conservation Board; providing for the setting aside of twenty-five (25%) per cent of the net collections made in each county of the motor vehicle license fees to create a fund to carry on such work, providing for the deposit of such collection in a special fund, and for the withdrawal and expenditure thereof under rules and regulations prescribed by the State Conservation Board; making an appropriation for the State Conservation Board; providing for a saving clause in the event any portion of the bill be held

unconstitutional; and declaring an emergency."

(With amendments.)

S. B. No. 467, A bill to be entitled "An Act providing for the establishment of a tuberculosis sanatorium for negroes to be known as the State Tuberculosis Sanatorium for Negroes; providing for its location; the acquisition by the State of land therefor, and the approval of the title to the land; authorizing the State to accept donations for said purpose; prescribing the kind, character and capacity of buildings to be erected thereon; prescribing the rules and regulations governing the conduct and operation of said sanatorium, and governing the admission of patient thereto and their classification and care; and declaring an emergency."

(With amendments.)

S. B. No. 169, A bill to be entitled "An Act amending Subdivision 36 of Article 1302, Title 32, Chapter 1, of the Revised Civil Statutes of 1925, and amending Articles 1495 and 1496 of Title 32, Chapter 15, of the Revised Civil Statutes of 1925, so as to add, after the words 'mineral solutions,' in each of said articles, the words 'and liquefied minerals,' and amending Article 1505 of Title 32, Chapter 15, of the Revised Civil Statutes of 1925, so as to add, after the word 'salt' in such article, the words 'mineral solutions and liquefied minerals,' and declaring an emergency."

S. B. No. 4, A bill to be entitled, "An Act authorizing municipalities, political subdivisions and taxing districts to proceed under the provisions of Federal Bankruptcy Laws enacted for the relief of such municipalities, political subdivisions and taxing districts; and declaring an emergency."

(With amendments.)

S. B. No. 482, A bill to be entitled "An Act making a certain emergency appropriation out of the General Revenue of the State of Texas to rebuild the barn at the Texas Experimental Station No. 8, located near Lubbock, Texas, to purchase harness and feed, also burned, and declaring an emergency."

S. B. No. 502, A bill to be entitled "An Act to amend Article 8245 of the Revised Civil Statutes of Texas,

1925, providing for the employment of persons necessary for the construction, maintenance, operation, and development of navigation districts, their business and facilities, prescribing their duties and compensation in counties having a navigation district in which there is a city of more than 100,000 in population according to the last preceding Federal census, and in which navigation district an election has resulted favorably to the development of a port as provided in Subdivision 2 of Title 128, Revised Civil Statutes of Texas, 1925, and providing that in such navigation districts having ports, the judges of the district courts shall determine the compensation of the county auditor acting as auditor for said district, and limiting such compensation, repealing Article 1672, Revised Civil Statutes, 1925, insofar as the same affects navigation districts which have adopted the provisions of Subdivision 2, of Title 128, and declaring an emergency."

S. B. No. 41, A bill to be entitled "An Act to amend Article 4704, Chapter 2, Title 78, of the Revised Civil Statutes of the State of Texas, 1925, relating to stock of insurance companies, so as to provide that the shares of any insurance company organized under the laws of Texas, if stock with a nominal or par value, shall be divided into shares of not less than \$10.00 each nor more than \$100.00 each; authorizing any insurance company hereafter or heretofore organized under the laws of this State to issue shares of its stock without nominal or par value; providing that not less than fifty per cent of authorized number of said shares to be subscribed and paid for; providing further that amounts so paid for shall not be less than \$250,000.00; providing for the nature of the consideration; providing for the filing with the Insurance Commissioner of charter or amendment to charter and of statement setting forth the number of shares subscribed and the actual consideration received by the company therefor; providing for payment of a charter fee, for examination of charter or amendment, and certificate filed therewith, by Insurance Commissioner and by Attorney General; providing for report to be filed with Insurance Commissioner in case of

sale of stock after filing of charter or amendment stating number of shares sold thereafter and consideration received therefor; providing that privileges and powers of this Act shall be in addition to all powers and privileges now conferred by law; providing that the provisions of Chapter 3, Title 78, Revised Civil Statutes of Texas, 1925, shall control corporations organized or amending charter under this Act, except where inconsistent or in conflict herewith; and that the invalidity of part of this Act shall not affect or impair other provisions; and declaring an emergency."

(With amendment.)

S. B. No. 87, A bill to be entitled "An Act amending Article 4442, Revised Statutes of the State of Texas, 1925, by adding to said Article Section No. 5, so as to provide that when a keeper manager, or owner of an institution defined in said Article shall operate same without a license or sell or traffic in babies or permit the use of said institution for purposes other than provided in their license, they may be enjoined in a suit filed by the Attorney General, district or county attorney, or any citizen; and declaring an emergency."

S. B. No. 267, A bill to be entitled "An Act to amend Article 8161 of the Revised Civil Statutes of the State of Texas, 1925, so as to provide that commissioners of drainage districts are authorized and required to build all necessary bridges and culverts across and over all canals, drains, ditches, laterals, and levees constructed by their districts whenever the same cross a State highway, county or public road; requiring and authorizing such commissioners to pay for the same out of the funds of said districts; authorizing such districts to thereafter, in whole or in part, defray the expenses of making the necessary repairs to such bridges and culverts, providing for the issuance of requisitions and the method of making purchases of materials and supplies and awarding contracts, and the duties of the county auditor with respect thereto, and declaring an emergency."

S. B. No. 268, A bill to be entitled "An Act to amend Article 8120 of the Revised Civil Statutes of the

State of Texas, 1925, so as to provide a method for fixing the compensation of the commissioners of drainage districts, requiring reports from the commissioners of such drainage districts to the commissioners' courts of their counties setting forth what said reports shall contain and authorizing such commissioners' courts to audit and approve the same; authorizing commissioners' courts in all counties having a population of more than two hundred thousand (200,000) inhabitants, according to the last preceding or any future Federal census and having one or more drainage districts therein, to allow the commissioners of drainage districts in such counties additional compensation for the services of such commissioners, and permitting said commissioners' courts to compensate such commissioners for the use of automobiles under certain conditions and for certain periods, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bills and Resolutions Referred.

H. B. No. 169 was referred to the Committee on Education.

H. B. No. 575 was referred to the Committee on State Affairs.

H. B. No. 578 was referred to the Committee on Banking.

H. B. No. 645 was referred to the Committee on Civil Jurisprudence.

H. B. No. 668 was referred to the Committee on State Affairs.

H. B. No. 3 was referred to the Committee on Game and Fish.

H. B. No. 60 was referred to the Committee on Game and Fish.

H. B. No. 80 was referred to the Committee on State Affairs.

H. B. No. 175 was referred to the Committee on Game and Fish.

H. B. No. 336 was referred to the Committee on Criminal Jurisprudence.

H. B. No. 363 was referred to the Committee on Finance.

H. B. No. 491 was referred to the Committee on State Affairs.

H. B. No. 516 was referred to the Committee on State Affairs.

H. B. No. 522 was referred to the Committee on Insurance.

H. B. No. 552 was referred to the Committee on Civil Jurisprudence.

H. B. No. 657 was referred to the Committee on Agriculture.

H. B. No. 680 was referred to the Committee on Criminal Jurisprudence.

H. B. No. 704 was referred to the Committee on Towns and City Corporations.

H. B. No. 730 was referred to the Committee on Education.

H. B. No. 749 was referred to the Committee on State Affairs.

H. B. No. 755 was referred to the Committee on State Affairs.

H. B. No. 774 was referred to the Committee on State Affairs.

H. B. No. 839 was referred to the Committee on Game and Fish.

H. B. No. 846 was referred to the Committee on Game and Fish.

H. B. No. 861 was referred to the Committee on State Affairs.

H. B. No. 863 was referred to the Committee on State Affairs.

H. B. No. 887 was referred to the Committee on State Affairs.

H. B. No. 906 was referred to the Committee on State Affairs.

H. J. R. No. 18 was referred to the Committee on Constitutional Amendments.

H. J. R. No. 48 was referred to the Committee on Constitutional Amendments.

H. B. No. 829 was referred to the Committee on Civil Jurisprudence.

H. C. R. No. 98 was referred to the Committee on Public Health.

H. B. No. 266.

Senator Poage sent up amendment previously printed in Journal of Wednesday, April 24, 1935, p. 1239.

Read and pending.

Motion to Recess.

Senator Sanderford at 5:50 o'clock p. m. moved that the Senate recess until 10 o'clock a. m. Friday.

Motion to Adjourn.

Senator DeBerry moved as a substitute that the Senate adjourn until 10 o'clock a. m. Friday.

Adjournment.

The substitute motion prevailed by viva voce vote.

APPENDIX.

Petition.

Hon. Walter F. Woodul, President of the Senate,
and
Members of the Senate.

Whereas, All farmers and sportsmen, generally speaking, are looking forward for the passage of H. B. No. 101 by Young, Riddle, Hoskins, Fuchs and others; and,

Whereas, This is a protective and conservation game bill which has for its purpose to stop the slaughtering of young doves and shorten the killing season by concurring the dove with the quail season for South Zone only; and,

Whereas, This bill passed the House by a viva voce vote.

Therefore, We, House members, who represent the South Zone, ask that your Honorable Body give consideration to H. B. No. 101 at an early date.

Respectfully submitted,

Dwyer, Nicholson, Young, Olsen, Thornton, Herzik, Butler of Karnes, Colson, Pope, Ash, Payne, Hill, Mauritz, Scarborough, King, Jones of Shelby, James, Reader, Dunlap of Hays, Jones of Atascosa, Dunlap of Kleberg, Roach of Angelina, Roach, Roark, Leonard, Morse, Holland, Jefferson, Quinn, Riddle, Roane, Hartzog, Fuchs, Hoskins, McKee, Hofheinz, Lange, Roberts, Howard, Moore, Butler of Brazos, Palmer, Tillery, McCalla, McKinney, Rutta, Bergman, Knetsch.

Committee Reports.

Committee Room,
Austin, Texas, April 25, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred

H. B. No. 271, A bill to be entitled "An Act providing that any producer shall have the right to sell farm products or produce raised upon property owned, leased or rented by him from house to house in any city in the State of Texas; providing a fee for inspection, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DeBERRY, Chairman.

Committee Room,
Austin, Texas, April 25, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 829,

Have had same under consideration and wish to recommend that it do pass, and be not printed, because similar Senate Bill has been printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, April 25, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Commerce and Manufacture, to whom was referred

H. B. No. 690, A bill to be entitled "An Act to provide a schedule of weights whereby the load weight of lumber being hauled by trucks on the highways of this State can be determined, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HILL, Chairman.

Committee Room,
Austin, Texas, April 25, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 427, A bill to be entitled "An Act amending Article 3899 of the Revised Civil Statutes of 1925, as amended by the Acts of the Forty-third Legislature passed in its Regular Session, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in bill form.

NEAL, Vice-Chairman.

Committee Room,
Austin, Texas, April 25, 1935.
Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 730, A bill to be entitled "An Act authorizing the county board of trustees in counties having

a population of not less than thirteen thousand, six hundred (13,600) nor more than thirteen thousand, six hundred and fifty (13,650) as shown by the last preceding Federal Census, to set aside a certain amount of the Available School Fund apportioned to such counties to defray certain expenses in the administration of the scholastic affairs of such counties with limitations; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendment and be not printed.

DUGGAN, Chairman.

Committee Room,

Austin, Texas, April 25, 1935.

Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 491, A bill to be entitled "An Act providing for a Civil Service Commission in cities having a population of more than two hundred and ninety thousand (290,000) inhabitants according to the last preceding or any future Federal census; establishing a method for the election of the members of said Commission, fixing the terms of office of said members, and providing for the functioning of said Commission; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation it do pass and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, April 25, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 270, A bill to be entitled "An Act to amend Article 1659, Chapter 6, Title 19 of the Revised Criminal Statutes of the State of Texas, 1925, relating to separate coaches for the accommodation of white and negro passengers so as

to include commercial motor vehicle within the terms of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, April 25, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 520, A bill to be entitled "An Act amending the subdivision of Article 199, Revised Civil Statutes of 1925, relating to the district courts of Bexar County, being the subdivision identified by the numbers 37, 45, 57, 73, 94, so as to make such subdivision apply only to the district courts of the 37th, 45th, 57th, and 73rd judicial districts, so as to provide an additional term for each of said courts; enacting provisions relating to the jurisdiction of said courts and providing for the transfer of cases as between said courts and providing for all things necessary to be done in connection with any such cases so transferred; providing for all things necessary and incidental to the main subject and purpose of this act whether mentioned in the caption or not and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 25, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

H. B. No. 176, A bill to be entitled "An Act to amend Article 4736 of the Revised Civil Statutes of the State of Texas providing for the assessment of a penalty against life insurance, accident insurance, life and accident, health and accident, or, life, health and accident insurance companies in case of failure to pay any loss within thirty (30) days after the demand therefor, and pro-

viding for twelve (12) per cent damages on the amount of such loss, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLLIE, Chairman.

Committee Room,
Austin, Texas, April 25, 1935.
Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 827, A bill to be entitled "An Act amending Article 2789 by adding Section A thereto authorizing the issuance of refunding bonds and warrants to refund any legal outstanding maintenance obligation of independent school districts and consolidated school independent districts by cancelling evidence thereof and issuing to the holders or creditors notes, bonds or warrants with or without coupons, bearing interest payable annually; exempting certain counties, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

DUGGAN, Chairman.

Committee Room,
Austin, Texas, April 25, 1935.
Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 807, A bill to be entitled "An Act authorizing two (2) or more independent school districts to consolidate their tax assessing and collecting and legal departments and to appoint one and the same person to assess and collect their taxes who shall have the same authority and perform the same duties with respect to assessing and collecting the school taxes as the county assessor and collector, and fix said compensation therefor; and may prescribe his duties and qualifications, and when such assessor and collector is a regularly licensed attorney, they may employ him to represent such districts in legal matters and pay him for such services provided that in filing suits his fees or compensation shall be the same as now provided by law for the collection of delinquent State and county taxes;

providing a two-thirds vote of each school district board of trustees shall be required before such consolidation becomes effective, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

DUGGAN, Chairman.

Committee Room,
Austin, Texas, April 25, 1935.
Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 580, A bill to be entitled "An Act authorizing commissioners courts of certain counties to allow Stephen F. Austin Teachers' College to act as depository of certain historical documents and permitting the librarian and archivist of said college to give certified copies thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

DUGGAN, Chairman.

Committee Room,
Austin, Texas, April 25, 1935.
Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 496, A bill to be entitled "An Act authorizing county boards of school trustees to abolish and/or subdivide common school districts having fewer than ten (10) scholastics and not having conducted a school for a period of five (5) years; providing for the adjustment of bonded indebtedness and the distribution of funds; repealing all laws and parts of law in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

DUGGAN, Chairman.

Committee Room,
Austin, Texas, April 25, 1935.
Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 228, A bill to be entitled "An Act providing for the payment

of the salary of the ex-officio superintendent of public instruction in all counties having not less than six thousand, eight hundred (6,800) and not more than six thousand, nine hundred (6,900) population, according to the last preceding Federal census, from the county available school fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

DUGGAN, Chairman.

Committee Room,
Austin, Texas, April 25, 1935.
Hon. K. M. Regan, President Pro Tem. of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 4, A bill to be entitled "An Act to amend Chapter 210, Acts of the Regular Session of the Forty-first Legislature, empowering the State Text Book Commission to adopt a multiple list of text books in German and Czech languages for use in high schools; commercial arithmetic, and bookkeeping in the English language, and also other high school texts on such other subjects for use in junior high schools as may be determined by a seven-ninths vote of said commission; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DUGGAN, Chairman.

Minutes of Committee Meetings.

Minutes of Committee on Educational Affairs, Held April 25, 1935.

Called Meeting.

Present: Duggan, DeBerry, Cotten, Hornsby, Neal, Pace, Poage, Small and Woodruff.

Absent: Burns, Hopkins and Regan.

H. B. No. 228 was reported out favorably by viva voce vote.

H. B. No. 496 was reported out favorably by viva voce vote.

H. B. No. 580 was reported out favorably by viva voce vote.

H. B. No. 807 was reported out favorably by viva voce vote.

H. B. No. 827 was reported out favorably by viva voce vote.

H. B. No. 4 was reported out favorably by viva voce vote.

JUANITA WILES,
Secretary.

Minutes of Committee on Insurance,
Held 7:30 P. M., April
24, 1935.

Called Meeting.

Present: Collie, DeBerry, Holbrook, Isbell, Pace, Shivers, Sulak, Westerfeld and Woodruff.

Absent—excused: Cotten, Moore, Poage and Rawlings.

The Chair laid before the committee H. B. No. 176, which had been set for special order. Senator Holbrook offered two amendments, which were suggested by Mr. Raymond Mauk, Fire Insurance Commissioner. Senator Holbrook moved the adoption of the amendments. Motion lost by viva voce vote. Senator Woodruff offered an amendment, and moved its adoption. Motion lost by viva voce vote. Senator Woodruff moved to reconsider. Motion lost by the following vote: Yeas—Holbrook and Woodruff; nays—Isbell, DeBerry, Pace, Shivers, Sulak and Westerfeld. Senator DeBerry moved that H. B. No. 176 be reported favorably with recommendation that it do pass. Senator Holbrook moved as substitute that H. B. No. 176 be reported unfavorably with recommendation that it do not pass. Substitute motion lost by viva voce vote. Motion of Senator DeBerry was adopted by viva voce vote.

ANNA MAY CULLEN,
Secretary.

FIFTY-FOURTH DAY.

Senate Chamber,
Austin, Texas,
April 26, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. K. M. Regan.

The roll call disclosed a quorum, the following Senators being present:

Beck.	• DeBerry.
Blackert.	Duggan.
Burns.	Hill.
Collie.	Holbrook.
Cotten.	Hopkins.
Davis.	Hornsby.